UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

DARREL LEE WILBER,)	
)	
Plaintiff,)	
)	
V.)	No. 4:11CV1736 JCH
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	

ORDER OF DISMISSAL PURSUANT TO FED. R. CIV. P. 12(h)(3)

IT IS HEREBY ORDERED that plaintiff's complaint is DISMISSED without prejudice.

IT IS HEREBY CERTIFIED that an appeal from this dismissal would not be taken in good faith. See 28 U.S.C. § 1915(a)(3).

Dated this 21st day of January, 2012.

/s/Jean C. Hamilton
JEAN C. HAMILTON
UNITED STATES DISTRICT JUDGE